

**TO:** CITY MANAGER OCTOBER 24, 2000

**FROM:** DIRECTOR PLANNING AND BUILDING OUR FILE: 08.109

**SUBJECT:** SUBMISSION TO GVTA GOVERNANCE TASK FORCE

**PURPOSE:** To seek endorsement of a City of Burnaby submission to the GVTA Governance Task Force that incorporates the views and directions as expressed by members of Council at its recent workshop on this subject.

**RECOMMENDATIONS:**

1. **THAT** a copy of this report be forwarded to the Chair of the GVTA Governance Task Force with the request that the directions and specific requests as contained in this report be included in the Task Force report, together with recommendations for legislative change where necessary.
2. **THAT** a copy of this report be forwarded to the Chair of GVRD, the Minister of Municipal Affairs, and Burnaby MLA's.

**REPORT**

**1.0 BACKGROUND**

At its meeting of 2000 July 31, Council received correspondence from the GVRD advising of the establishment of a *Greater Vancouver Transportation Authority (GVTA) Governance Task Force* and conveying its Draft Terms of Reference.

Arising out of its discussion of the correspondence, Council requested that a Council/staff workshop be held to discuss governance issues related to the GVTA (now TransLink). That workshop was held on 2000 October 17.

The purpose of this report is to present a report to Council that reflects the discussions of the workshop as the basis for a City of Burnaby submission to the GVTA Governance Task Force.

## 2.0 THE TERMS OF REFERENCE FOR THE GOVERNANCE TASK FORCE

In May of this year, the GVRD Board authorized the Chair to establish a GVTA/GVRD Governance Committee comprised of 5 members; with two representatives from the TransLink Board, two from the GVRD Board and Mayor Marlene Grinnell (Langley City) as Chair.

The terms of reference assigned to the Task Force are relatively focused. It is noted in the terms of reference that the GVRD and TransLink have their independence, but within a framework that questions whether their integration should be improved. A principal question presented to the Task Force is "*whether steps should be taken to manage the two organizations towards greater independence, towards greater integration or to ensure that there is no drift in either direction*".

The Task Force has been asked to address the issues of the *long term* and *short term* relationships between the GVRD and GVTA (i.e. political structures, definition of responsibilities and organizational arrangements). The Task Force was *not* to attempt to address broader governance questions such as directly elected representatives or municipal amalgamations, or to attempt to resolve substantive policy issues such as the vehicle levy for other than illustrative purposes.

Other questions posed in the terms of reference deal with the issue of municipal representation on the TransLink Board, the selection process associated with Board appointments and the issue of Provincial representation on the Board.

The Task Force is to prepare a report addressed to both the GVRD and GVTA Boards with its recommendations and accompanying background materials that is to be considered at a joint workshop of the two Boards. The two Boards will then decide what positions, if any, they wish to put forward to the Province as the basis for the formal two year review of the legislation with the Province.

## 3.0 ITEMS FOR REVIEW

### 3.1 *Relationship Between GVTA and GVRD Board Policy Directions: Integration or Separation?*

Prior to the establishment of the GVTA legislation, one of the prevailing criticisms was that regional transportation and land use policies were not being properly coordinated, particularly on those occasions when major Provincial transportation projects were independently developed. As outlined in the terms of reference provided to the Task Force, the reform associated with the GVTA legislation was *to create a new system of governing transportation*

*that would be closer to local decision making, would be integrated with land use decision making and would allow more effective investment in transportation facilities and services from revenue sources more closely linked to transportation.*

The thinking behind the improved integration between land use and transportation policy decisions was that the GVTA would be governed predominately by locally elected politicians, the same individuals charged with making land use decisions at the local and regional level.

It is noteworthy that since the establishment of the GVTA, one of the principal structural changes at the GVRD has been the transfer of the transportation planning function to TransLink. Each organization has its own administrative structure, including Chief Executive Officers, that report to the respective GVRD and TransLink Boards.

The legislation establishing the GVTA established that the main purpose of the authority was to “manage and operate the regional transportation system” that was supportive of the regional growth strategy, the region’s air quality objectives and economic health. In meeting these ends, the specific responsibilities of the authority are defined. One of these relates to the intended relationship with the GVRD which is outlined as follows:

“ to review, and advise the Greater Vancouver Regional District, the municipalities and the government regarding the implications to the regional transportation system of,

- i. the regional growth strategy and any amendments to it,
- ii. official community plans applicable to any part of the transportation service region and any amendments to those plans, and
- iii. major development proposals and provincial highway infrastructure plans in the transportation service region.”

With respect to item (i) above, it was noted that *the intended relationship between the GVRD and TransLink as outlined in the legislation is generally being achieved.* In noting this, Council made the observation that the basic premise underlying this relationship is that local land use authority (within an approved regional context) is fundamental, as opposed to a regional uni-city governance model. It was further mentioned that the two organizations provide a focus for their respective mandates (i.e. the GVRD’s delivery of regional utility infrastructure and regional parks and growth management services and TransLink’s provision of regional transit and major roads planning and development).

Council recognizes the importance of the GVRD and TransLink sharing and understanding the transportation ramifications of a contemporary regional planning vision in their common pursuit of a more livable and well managed region. However, Council would see this relationship occurring without further growth in government or bureaucracy. With this proviso, *Council would support the Task Force identifying specific ways to reinforce the two agency's review, promotion and implementation of the objectives of the Livable Region Strategic Plan (LRSP).* One suggestion would be for TransLink to formally have a representative on the GVRD's Technical Advisory (Planning) Committee (TAC). The CEO of TransLink is already a member of the GVRD's Regional Administrator's Advisory Committee (RAAC). On a more specific note, *GVRD and TransLink should closely cooperate in the upcoming review of the Livable Region Strategic Plan so there is common agreement and understanding on the directions underlying new strategic growth management and related transportation policies.*

With reference to items (ii) and (iii) above, there is an OCP and Major Development Projects Review Task Force (of which Burnaby is a member) preparing recommendations for defining the criteria and processes associated with the review of Official Community Plan and major development proposals. While the comments to be received back from TransLink on the Official Community Plans and major development proposals are advisory only (as opposed to regulatory) these referrals are intended to promote a better linkage between transportation and land use planning in the region. More specific input can be provided once the Task Force's recommendations are completed and forwarded to member municipalities for review and comment.

### ***3.2 Municipal Representation on the TransLink Board***

There are 15 members on the TransLink Board (12 appointed by the GVRD Board and 3 appointed by the Province). This represents a trade off between having a relatively small and effective Board size versus having direct representation for a larger number of member municipalities.

Under the current arrangement, the City of Vancouver (including Electoral Area A) has 3 members, the North Shore (including Lion's Bay and Electoral Area C) has 1 and the area south of the Fraser River has 4. Burnaby "shares" 3 seats with New Westminster, Coquitlam, Port Coquitlam, Port Moody, Maple Ridge, Pitt Meadows, Anmore and Belcarra. There is an "at large" member on the Board, which is currently occupied by a Northeast sector representative. Under the current arrangement, Burnaby could expect to not have membership on the Board about once every 4 to 5 years, which is cause for concern given the ongoing significance of the TransLink policy issues and decisions.

Council has serious concern that Burnaby, as the third most populated municipality in the region (and the Province), does not have a permanent seat on the TransLink Board. This concern is compounded by the fact that about 25 percent of the total trips in the region taken by auto and transit<sup>1</sup> are accommodated in Burnaby. Also, through its inclusion in the Growth Concentration Area of the Livable Region Strategic Plan, Burnaby will be accepting significant population growth to 2021 as provided for in the recent Official Community Plan update.

*It is the unanimous view of Council that the issue of representation on the Board needs to be reopened and that major municipalities in the region (that includes the City of Burnaby) have permanent representation on the Board given that the larger cities are significantly impacted by policy decisions affecting transit and road improvements. As the third largest municipality in the Province with a population of close to 200,000 and having a major role in accommodating regional transportation movements, it is unacceptable that the City of Burnaby does not have permanent representation on the Board given the magnitude and implications of the decisions being made.*

In its previous submissions, Burnaby proposed that representation on the TransLink Board be based on population (e.g. 1 seat for every 150,000 population), with smaller municipalities being grouped to reach the 150,000 level. Under this arrangement, Burnaby and Richmond would be entitled to one member each, Surrey would have two members and the City of Vancouver three members.

If it were decided that the single population-based criterion needed to be expanded, additional factors that could be considered include geographic location within the Growth Concentration Area, and magnitude of transit ridership and lane kilometers within the designated Major Road Network in combination with the population base.

### ***3.3 Selection of Municipal Representatives on the Board***

Presently, the Greater Vancouver Transportation Authority Act stipulates that the GVRD Board must appoint the 12 municipal representatives to the TransLink Board and that they must either be a mayor of a municipality or a member of the GVRD Board of Directors.

There is a clear consensus from Council that the variety and depth of the respective issues before the GVRD and TransLink Boards cannot be overstated. The ever increasing obligations and level of commitment required by a Board member to review and understand the complexities of the issues being presented is very significant. Compounding this is the

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<sup>1</sup> Based on 1998 Origin and Destination Survey undertaken by GVRD

workload imposed on those Directors sitting on both the GVRD and TransLink Boards. The issues at the municipal level are also increasing in complexity adding to the difficulty for the appointed Board members in being “spread too thin”.

To address this concern, *Council considers it an advantage from both the regional and local perspective to allow the local jurisdiction to make the selection of the TransLink Board member.* It is felt that members of Council have a valuable contribution to make and that the necessary regional perspective is gained through the local involvement with the LRSP, the Strategic Transportation Plan and through ongoing exposure to issues through the Council of Councils.

*Council is therefore recommending that the Task Force support an amendment to the existing selection criteria to provide for the designation of TransLink Board members by the local jurisdiction(s) that would enable Councillors currently not on the GVRD Board to also be eligible for TransLink Board membership.*

### **3.4 Provincial representation on the TransLink Board**

The current legislation provides for Cabinet to appoint three Provincial representatives on the GVTA Board. “*to protect the Provincial interest*” and improve linkages between the two levels of government. It has been argued that this allotment of three Provincial members prevents broader local representation. As well, there are times when issues raised at the Board involve strategic decisions that will affect negotiations with the Province. This raises the issue of possible conflict of interest when the Board is discussing sensitive matters affecting the Province.

In considering this matter, Council noted that that the GVTA was originally formed to better define and protect local interests. As such, it was concluded that *Provincial representation on the Board should be removed allowing for additional municipal representation and to avoid a possible conflict of interest when the Board is negotiating sensitive matters with the Province.*

It was noted that the desired liaison between the Province and the TransLink Board can be accommodated through means other than direct representation on the Board.

### **3.5 Adequacy of Minor Capital Project Funding for Major Road Network**

The planning and funding of the region’s Major Road Network (MRN) was identified in several of the 20 principles underlying the agreement between the municipalities and the GVTA. Prior to the creation of the GVTA, the Province was spending considerably more

than the \$10 million annually being allocated by the TransLink for major roads over the past two years. For 2001, the amount for minor capital funding on major roads is proposed to be increased to \$13 million, with \$10 million being allocated on a formula basis ( for this year Burnaby's per capita allocation amounts to about \$1.2 million) and the remaining \$3 million to be allocated on a regional needs basis. In all instances, the host municipality is required to provide at least 50% cost sharing on approved projects.

The declassification of Provincial Highways has resulted in Burnaby assuming the responsibility for the maintenance, operations and upgrading of approximately 207 lane kilometres of additional arterial roads. The Five Year Minor Capital Projects Budget estimates in the Strategic Transportation Plan for Major Roads amounts to about \$75 million over the next 5 years. This would mean that under the current formula, Burnaby would receive approximately \$9 million to fund capital projects on the MRN. This amount would not cover 50% of the approximately \$23 million in MNR related projects currently in the City's 2000-2004 Capital Program for Major Roads.

In discussing this issue, *Council was of the view that the total level of funding for Minor Capital Projects should be increased to meet priority needs identified within the Major Road Network.*

The downloading of the Provincial highways to the City was a Provincial initiative outside of the GVTA legislation. However, the transfer to the municipalities of responsibility for maintaining and upgrading these roads without sufficient funding may result in a lower level of service for all users including general traffic, bus transit and trucking than was provided when these roads were under Provincial control. It is also clear that the City previously did not have to provide 50% cost sharing on these downloaded roads. Given that the City is required to provide this cost sharing, it raises the question of regional versus municipal priorities for the spending of these funds.

From the City of Burnaby perspective, there may well be a preference for improving north-south links or connections to and from the town centres as opposed to focusing on roads oriented to improving east-west through traffic movements. *From the regional perspective, TransLink should provide more funding (e.g. 75% to 25% local) for road improvements where inter-municipal travel is a focus (e.g. Lougheed Highway, Hastings or Marine Way). This would differ from the existing 50% cost sharing arrangement between TransLink and the host municipality on the other MRN components.*

Unless there is some change to the formula and a shortage of MRN funding continues, there will be a likely preference for municipalities to devote limited road funding cost sharing on those roads that will provide the greatest benefit to the local community (albeit perhaps at the expense of the overall regional system over time).

### **3.6 Subsequent Municipal Review of Task Force Recommendations**

As previously indicated, the Task Force is intending to report to a joint workshop of the GVTA and TransLink Boards. *Rather than reporting directly to Boards, Council has expressed a desire to review the Task Force findings in draft form. As an interested municipality who has participated in the review process, it would like the opportunity to review the findings in their draft form in order that Municipal comment could be provided prior to the final submission to the Boards.*

## **4.0 CONCLUSION**

In establishing the GVTA Governance Task Force, the GVRD Board forwarded the terms of reference to member municipalities for their review and consideration. Upon receiving the terms of reference for the Governance Task Force at its meeting of 2000 July 31, Council requested that a workshop be arranged to allow for a full discussion of the important issues before the Task Force.

In its deliberations on this subject, Council concluded that the following should be conveyed to the Task Force along with the request that they be included in their recommendations to the GVRD and TransLink Boards:

### ***GVRD/TransLink Relationship***

- the intended relationship between the GVRD and TransLink Boards as prescribed in the legislation is generally being achieved, while recognizing that local land use authority (within an approved regional context) is a fundamental premise;
- notwithstanding the above and without encouraging further growth in government and bureaucracy, the Task Force should identify specific ways to help improve and reinforce the two agency's review, promotion and implementation of the objectives of the Livable Region Strategic Plan; and
- the GVRD and TransLink should closely cooperate in the upcoming review of the Livable Region Strategic Plan so there is common agreement and understanding on the directions underlying new strategic growth management and related transportation policies.



### ***TransLink Board Representation***

- the issue of representation on the TransLink Board needs to be opened to provide for major municipalities (including the City of Burnaby) to have permanent representation on the Board;
- the criteria for representation on the Board should be altered to provide for a population based system (e.g. one seat for every 150,000) or a combination of criteria based on population, geographic location within the Growth Concentration Area, and degree of transit ridership and designated lane kilometres within the Major Road network;
- the necessary amendment should be made to provide for the designation of TransLink Board members by the local jurisdiction(s) that would enable Councillors currently not on the GVRD Board to be eligible for TransLink Board membership; and
- Provincial membership on the TransLink Board should be removed allowing for additional municipal representation and to avoid a possible conflict of interest when the Board is negotiating sensitive matters with the Province.

### ***Minor Capital Projects Funding***


- the total level of funding for Minor Capital Projects should be increased to meet priority needs identified within the Major Road Network.
- TransLink should provide a higher proportion of capital funding (e.g. 75% to 25% local) on those Major Road Network elements where inter-municipal travel is a clear focus (e.g. Marine Way, Lougheed Highway) in contrast to the existing 50% to 50% local) sharing arrangement.

### ***Subsequent Review of Draft Report***

- Rather than the Task Force reporting directly to the two Boards, Council has expressed a desire to review the Task Force findings in draft form. As an interested municipality who has participated in the review process, it would like the opportunity to review the findings in their draft form in order that Municipal comment could be provided prior to the final submission to the Boards.

It is recommended that a copy of this report be forwarded to the Chair of the GVTA Governance Task Force with the request that the directions and specific requests as contained in this report be included in the Task Force report, together with recommendations for

legislative change where necessary. It is further recommended that a copy of the report be forwarded to the Chair of the GVRD, the Minister of Municipal Affairs and the Burnaby MLA's.

  
D.G. Stenson, Director  
PLANNING AND BUILDING

  
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cc: Director Engineering  
Director Finance

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